

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RYAN BATEMAN,

Plaintiff(s),

v.

HAWKER ENERGY INC., et al.,

Defendant(s).

Case No.: 2:20-cv-02049-APG-NJK

Order

[Docket No. 12]

Pending before the Court is Defendants' motion for protective order in the form of a stay of discovery. Docket No. 12. Discovery motions must be preceded by a proper meet-and-confer. Local Rule 26-6(c); Fed. R. Civ. P. 26(c)(1). Written correspondence is not sufficient and, instead, the conference must take place in-person, by phone, or by video. Local Rule IA 1-3(f). The instant motion is supported by a declaration attesting only to the exchange of emails, Docket No. 13, which does not constitute a sufficient prefiling conference, Local Rule IA 1-3(f).¹ Accordingly, Defendants' motion is **DENIED** without prejudice.

IT IS SO ORDERED.

Dated: March 16, 2021


Nancy J. Koppe
United States Magistrate Judge

¹ The emails are also conclusory in nature. The consultation obligation "promote[s] a frank exchange between counsel to resolve issues by agreement or to at least narrow and focus the matters in controversy before judicial resolution is sought." *Nevada Power v. Monsanto*, 151 F.R.D. 118, 120 (D.Nev.1993). To meet this obligation, parties must "treat the informal negotiation process as a substitute for, and not simply a formalistic prerequisite to, judicial resolution of discovery disputes." *Id.* This is done when the parties "present to each other the merits of their respective positions with the same candor, specificity, and support during the informal negotiations as during the briefing of discovery motions." *Id.*